

REMARKS

Claims 1-3 and 5-60 are currently pending. Claim 4 has been canceled and claims . No new matter has been introduced.

INFORMATION DISCLOSURE STATEMENT

The Examiner has indicated the Information Disclosure Statement filed on December 16, 2003 fails to comply with 37 C.F.R. § 1.98(a)(2) which requires a legible copy of each cited foreign patent document, each non-patent literature publication or that portion which caused it to be listed, and all other information or that portion which caused it to be listed.

Applicants direct the Examiner's attention to 37 C.F.R. § 1.98(d) which states that a copy of any patent publication, pending U.S. application, or other information, as specified in paragraph (a) of this section listed in an Information Disclosure Statement is required to be provided even if the patent publication, pending U.S. application or other information was previously submitted to, or cited by the Office in an earlier application, **unless:**

(1) the earlier application is properly identified in the Information Disclosure Statement and is relied on for an earlier effective filing date under 35 U.S.C. § 120; and

(2) the Information Disclosure Statement submitted in the earlier application complies with paragraphs (a) – (c) of this section.

Applicants respectfully submit that page 2 of Applicants' Information Disclosure Statement of December 16, 2003, meets the requirements of 37 C.F.R. § 1.98(d)(1). Applicants further respectfully submit that the Information Disclosure Statement of December 16, 2003 is in compliance with 37 C.F.R. § 1.98(d)(2). Accordingly, reconsideration of each of the non-U.S. patent publications submitted on December 16, 2003 is respectfully requested.

PRIORITY

The Examiner has also objected to Applicants' claim to foreign priority. Applicants direct the Examiner's attention to the file-wrapper of Application Serial No. 09/590,096, which is the parent application of the present application and on which priority under 35 U.S.C. § 120 is claimed. In the file-wrapper of the '096 application, the Examiner will find a copy of the Danish priority application, which was filed on September 2, 2003.

CLAIM OBJECTIONS

Claim 1 has been objected to due to informalities. Applicants respectfully submit that this objection is moot in light of the amendments to claim 1.

35 U.S.C. § 102 REJECTION

Claims 1-2, 4-11 and 13-60 have been rejected under 35 U.S.C. § 102(a) or (e) as being anticipated by U.S. Patent 6,181,336 to Chiu et al. Applicants respectfully traverse this rejection in view of the following argumentation.

Claim 1 recites "*the PCOs are arranged to be media neutral so as to enable re-use of the PCOs in publications of multiple media ...*" and "*...the content management system further facilitates planning and co-ordinating of usage of the PCOs in one or more publications by maintaining relations between anticipated news stories and said publications*", which is neither taught nor suggested by Chiu et al.

Chiu et al. explicitly teaches the creation of "multimedia products" such as animation films or video games, such products being formatted for a particular platform or media, with no means or intended use in multiple media being taught, nor any specific news media or publishing platforms being mentioned. Example embodiments of the present invention explicitly teach the planning, creation and usage of media neutral content elements which may be formatted

(automatically or manually) for publication in multiple news media such as newspapers, magazines or web sites. Thus, while example embodiments of the present invention relates to management of un-formatted, media neutral content, targeting multiple news publishing media, Chiu et al. relates to management of formatted and finished video products. Applicants respectfully submit that there is almost no overlap between these two applications and that neither of them could, even remotely, be used to perform the tasks of the other. To emphasize this viewpoint, further detailed arguments are present below.

Applicants assert that the term “multimedia” as used in Chiu et al. does not have the same definition or meaning as “publishing in multiple media” as used in claim 1. According to example embodiments of the present invention, multiple media means more than one publishing media or platform, such as newspapers, magazines, weeklies, posters, web sites, news streamers, e-mails or text messages. Thus, example embodiments of the present invention are capable of managing a news publishing company’s planning, creation, packaging and usage of content relating to any of these printed or electronic media or any combination thereof.

Contrary to this, although Chiu et al. does not explicitly define “multimedia” (other than it being any data used in “multimedia works”) the word is used in the definition of *a file or product containing interactive or moving content (such as in a video product) as opposed to static content (such as in printed publications)*. Multimedia production does not in itself deal with the actual publishing in any media platforms, let alone multiple media.

Further, claim 1 specifically recites media neutrality to enable publication of each content object (PCO) in multiple media as well as the planning and coordinating of usage of content (news stories) in multiple publications. These features are unique claim 1 and none of them are taught by Chiu et al.

The examiner argues on page 5 of the Office communication that “the orderly archiving of multimedia works to facilitate their re-use in later projects” taught by Chiu et al. are analogous to “the PCOs are arranged to be media neutral so as to enable re-use of the PCOs in publications of multiple media” recites in claim 1.

Applicants respectfully submit that “pulling content from the archive and re-using it in a later project” (as taught by Chiu et al.) is very different from the dynamic (upfront and ongoing) planning of content use in multiple publications of multiple media *and* the storing of said content in a *media neutral format* that enables it to be formatted, displayed and presented in these multiple media, as taught by claim 1.

In particular, Chiu et al. specifically limits re-use to “later projects”, whereas example embodiments of the present invention specifically target a newsroom where all publishing in all publications must take place now (or within the same publishing day) while a news story is still relevant. Later projects are a less important niche application for the newsrooms targeted by example embodiments of the present invention.

Similarly, Chiu et al. specifically *does not* teach media neutrality of its content format, which implies that in order for content to be re-used in different publications it must be stripped of its original formatting, display and presentation data and re-formatted for the new publication. This is particularly true for text data and graphics layouts such as articles and pages in printed publications, all which are almost (if not completely) impossible to target by Chiu et al.

The examiner argues on pages 5-6 of the Office communication that “various types of multimedia works” taught by Chiu et al. are analogous to “the content management system further facilitates planning and coordinating of usage of PCOs in one or more publications” taught in claim 1. In arguing this, the examiner notes that according to American Heritage Dictionary, “publication” can be defined as “Communication to the public” and that since Chiu

et al. mentions news clips as a type of video project, the examiner thus concludes that Chiu et al. teaches publishing in multiple publications of multiple media.

Applicants respectfully submit that this is an overly simplistic and incorrect conclusion. The fact that Chiu et al. teaches production of video projects, of which news clips might be one possible example, combined with one very broad definition of the term “publication” in one dictionary, does not even indirectly, mean that Chiu et al. teaches anything about news publishing. Example embodiments of the present invention *specifically teaches and enables* planning and publishing in multiple publications of multiple media and that Chiu et al. *does not teach any of these*. In fact, Chiu et al. does not even teach any of the planning, news gathering and story (script) writing aspect even for news clips, much less the actual publishing of said news clips in any media platform. Chiu et al. only teaches the video production itself, which is a very limited part of news production and publishing, just as a studio or editing room is only a small part of a TV newsroom. Further, such a news clip is only an example of a single snippet of the many scripts, video segments, character graphics and other items that make up a newscast – which would be the actual publication in which such a news clip might be used. Once again, Chiu et al. has no reference to any such publications, let alone to multiple publications or how to plan and coordinate them.

Specifically on the Examiner’s finding on page 5 of the Office communication that Chiu et al.’s reference to “various types of multimedia works” is analogous to the multiple publications and multiple media in claim 1, Applicants respectfully submit that Chiu et al. *does not* teach how each multimedia project can target multiple publications or media – only how its archive may allow a project to be re-used in later projects. This is fundamentally different from example embodiments of the present invention which *specifically teaches* the planning of news stories in a way that facilitates simultaneous and/or ongoing publishing in several news

publications *and* storing of content in a media neutral format that facilitates publishing in multiple publications and media without first stripping old formatting from archived content.

As described above, Applicants respectfully argue that Chiu et al. *does not* teach a content management system facilitating planning and coordinating of usage of PCOs in one or more publications. in order to render the difference between the teaching of Chiu et al. and claim 1 even more visible, claim 1 has been amended to explicitly include the feature by which the planning and coordinating takes place: “the content management system further facilitates planning and coordinating of usage of the PCOs in one or more publications by maintaining relations between anticipated news stories and said publications”. The examiner argues on page 6 of the Office communication that the originally filed claim 4, from which the feature added to claim 1 is taken, is already taught by language in Chiu et al. (Column 16, lines 25-32).

Applicants respectfully submit that they can not follow the line of arguments presented by the Examiner. This section of Chiu et al. teaches relationships between assets, but has no bearing on the planning and coordinating features recited in claim 1, nor on the media neutrality quoted by examiner.

Although it is believed that claim 1 in view of the above argumentation must be considered novel and further comments therefore seem unnecessary, comments on some of the dependent claims are presented below as this might render the difference between example embodiments of the present invention and Chiu et al. more clear.

With respect to claim 2, the examiner argues on page 6 of the Office communication that in “PCOs are arranged to be media neutral by comprising content elements divided by their function” taught by claim 2, “function” is analogous to “asset attributes” taught by Chiu et al. Applicants respectfully submit, that there is almost no comparison between the two and that the

referenced language in Chiu et al. (Column 12, lines 57-65-Column 13, lines 1-7) does not in any way teach media neutrality.

“Function” as used in the Claim 2 refers to the contextual use of each of several elements within the content of a PCO, particularly a text for newspaper, magazine or web sites. Examples of such functions would be Headline, Subhead, Byline, Body Text etc. Each such function (contextual use) is tagged within the media neutral storage format and interpreted by the publishing system for each publication in order to provide the formatting and display appropriate for that publication. This is fundamentally different from the inline display formatting of HTML and other storage formats, where hard references to text size, typeface, paragraph formatting and other presentation coding is embedded within the content itself specifically for a particular medium.

With respect to claim 5, the examiner argues on pages 6-7 of the Office communication that claim 5 is taught by language in Chiu et al. (Column 12, lines 57-65-Column 13, lines 1-7, Column 16, lines 25-32). Applicants respectfully submit, that they can not follow the line of arguments presented by the Examiner or see any similarity between the two. These sections of Chiu et al. respectively teach attribute values (keywords etc) and relationships between assets, however, claim 5 recites the dynamic and/or fixed aspects of the planning of news stories to be produced for one or more publications – functionality which is not taught at all by Chiu et al..

35 U.S.C. § 103 (A) REJECTIONS

Claim 1 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Chiu et al (U.S. Patent 6,181,336) in view of Nasr et al. (U.S. Patent 6,263,332).

As presented above, claim 1 is distinguishable from Chiu et al. at least by the fact that Chiu et al. targets individually formatted multimedia products such as animation films or video games. Furthermore, claim 1 is distinguishable from Chiu et al. by facilitating planning and

coordination of usage of PCOs, as recited in claim 1. Thus, Applicants respectfully argue that Chiu does not disclose a content management system for news planning, management and publishing but as a video and multimedia production invention – exactly as stated in the abstract of Chiu et al. Chiu et al. deals only with video products, i.e. products that need to be displayed on a video device, and Chiu et al. also has no teaching as to maintaining relations between news stories and publications, nor any other teaching of publications whatsoever. Thus, careful reading of Chiu et al. leads to the conclusion that the teaching Chiu et al. can not be applied as content management system facilitating planning and coordinating of PCOs in one or more publications.

Nasr teaches how a media neutral markup language may effectively be transformed into other formats, either media neutral or media specific formats, and has no teaching as to maintaining relations between anticipated news stories and publications, nor of the storage and database features taught by Chiu et al.

Chiu et al. contains teaching pertaining to a storage and production system for video products and Nasr contains teaching pertaining to transforming content represented in one markup language into another format. The method of Nasr can not be used to generate a video product from content represented in a markup language and the teaching of Chiu et al. and Nasr are thus not compatible.

Example embodiments of the present invention are directed to a content management system for newsrooms wherein it uses a media neutral content format to enable simultaneous and/or ongoing publishing of news stories in multiple publications and media (each with different formatting and presentation requirements) *and* in that it further facilitates the planning and coordinating of how and where contents is published – in other words managing and targeting content before (or during) its actual creation. These features are not disclosed in or combinable from Chiu et al. or Nasr and claim 1 is therefore considered novel and non-obvious.

Accordingly, reconsideration and withdrawal of the outstanding rejection is respectfully requested.

CONCLUSION

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of claims 1-3 and 5-60 in connection with the present application is earnestly solicited.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant(s) hereby petition(s) for a three (3) month extension of time for filing a reply to the outstanding Office Action and submit the required \$1,020 extension fee herewith.

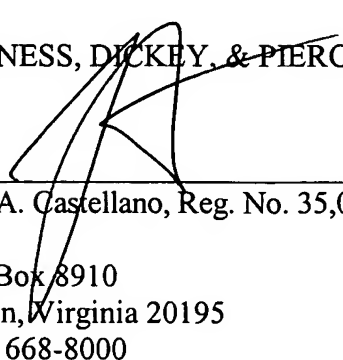
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John A. Castellano at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKY, & PIERCE, P.L.C.

By



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